

## EXECUTOR'S DEED

This Executor's Deed is made and entered into by and between EDWARD A. SPENCER, JR., EXECUTOR OF THE ESTATE OF J. F. CONGER, DECEASED, for and on behalf of said estate and the devisees of the hereinafter described real property, hereinafter referred to as GRANTOR, to and in favor of EDWARD A. SPENCER, JR., hereinafter referred to as GRANTEE, WITNESS THAT:

For and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the GRANTEE to the GRANTOR, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged by the GRANTOR, the GRANTOR does hereby and by these presents sell, convey and warrant unto the GRANTEE the following described real property, located in the City of Hernando, DeSoto County, Mississippi, to-wit:

Beginning at the northeast corner of Section 24; Township 3 South; Range 8 West; thence west 3.4 feet to a point in the centerline of Old Highway 51 and the point of beginning of the following tract; thence south  $1^{\circ} 00'$  west 969.82 feet along the centerline of said road to a point; thence north  $88^{\circ} 29'$  west 378.79 feet to a point; thence north  $4^{\circ} 07'$  west 382.11 feet to a point; thence south  $84^{\circ} 22'$  west 106.00 feet to a point; thence north  $6^{\circ} 04'$  west 615.29 feet to a point; thence south  $87^{\circ} 47'$  east 594.39 feet to the point of beginning and containing 11.06 acres, less and except the right of way for Old Highway 51, leaving a net acreage of 10.5 acres, more or less. All bearings are magnetic.

The foregoing covenant of warranty is made subject to rights of ways and easements for public roads and public utilities, including, but not limited to, Right of Way granted to Mississippi Power and Light Company, recorded in Deed Book 25, Page 628; Sewage

STATE MS. DESOTO CO. *MS*

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DEC 11 12 21 PM '98

BK 344 PG 351  
W.E. DAVIS CH. CLK.

Easement granted to the Town of Hernando, Mississippi, by Right of Way recorded in Deed Book 50, Page 517; all in the Office of the Chancery Clerk of DeSoto County, Mississippi; subdivision and zoning regulations in effect in the City of Hernando, DeSoto County, Mississippi, and to any prior reservation or conveyance of minerals of every kind and character including, but not limited to, oil, gas, sand and gravel in, on and under the subject property, including, but not limited to, reservation of a one-fourth (1/4) interest of one-eighth (1/8) royalties out of any gas and oil leases reserved by Mrs. Evie S. Mosby in that certain General Warranty Deed recorded in Deed Book 28, Page 192, in the Office of the Chancery Clerk of DeSoto County, Mississippi; any unrecorded rights of ways or easements and any discrepancies, conflicts, encroachments or shortages in the area and boundaries which a correct survey and/or inspection would show.

Taxes and assessments against said property for the year 1998 shall be prorated as of the date of this deed and all taxes and assessments for all subsequent years are hereby excepted from the foregoing covenant of warranty.

Possession shall be given upon delivery of this deed.

The aforescribed real property was devised by the Last Will and Testament of J. F. Conger to Ruby Hobbs Spencer, Nuel Hobbs, Robert Hobbs, Billie Sue Sheffield, James Skelton and Charles Henry Humphreys, and which Will is probated in Cause No. 98-1-31 on the

docket of the Chancery Court of DeSoto County, Mississippi. The GRANTOR executes this deed pursuant to authority vested in him by a DECREE entered in the aforesaid cause on the 3rd day of December, 1998.

WITNESS the signature of the GRANTOR on this the 11<sup>TH</sup> day of December, 1998.

Edward A. Spencer Jr.  
EDWARD A. SPENCER, JR., EXECUTOR  
OF THE ESTATE OF J. F. CONGER

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this the 11<sup>th</sup> day of December, 1998, within my jurisdiction, the within named Edward A. Spencer, Jr., who acknowledged that he is the Executor of the Estate of J. F. Conger, Deceased, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

Patricia H. Bussan  
Notary Public

(SEAL)

My Commission Expires:

1-16-99

GRANTOR'S AND GRANTEE'S ADDRESS:  
4689 BIG HORN DRIVE  
NESBIT, MS 38651  
HOME TEL. NO.: 601-429-4934  
WORK TEL. NO.: 901-831-9236

PREPARED BY: Law Offices of A. Cinclair May  
2565 Caffey Street - Suite 100  
Hernando, MS 38632  
601-429-5038

Indexing Instructions: Record NE1/4 Sec. 24, T3S, R8W